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IN THE

SUPREME COURT OF THE UNITED STATES

October Term, 196[illegible]

No. [illegible]

CHARLES W. BAKER, Et Al., - - Appellants,

versus

JOE C. CARR, Et Al., - - - - Appellees.

Brief of the City of St. Matthews, Kentucky, By Bernard [illegible]. Bowling, Amicus Curiae.

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INDEX.

PAGE

CITATION TO OFFICIAL REPORT OF OPINIONS RENDERED IN THE COURT BELOW..... 1

GROUNDS FOR THE COURT'S JURISDICTION.. 2

STATEMENT OF APPLICANT'S INTEREST..... 2– 3

ARGUMENT 4–14

The Failure of the General Assembly of Kentucky to Re-Apportion the Legislative and Senatorial Districts of the Commonwealth Pursuant to the Requirements of the Kentucky Constitution Is Violative of the Ninth Amendment of the Constitution of the United States..... 4–14

A. The Inequality Between Legislative and Senatorial Districts Within the Large Metropolitan City of Louisville and Those in the Suburban Area Outside It and Also in Jefferson County Is More Glaring Than the Contrast Between Metropolitan Jefferson County and Rural Counties..... 4– 6

B. There Is a Flagrant Inequality Between the Population in Metropolitan Legislative and Senatorial Districts and That of the Rural Districts 6– 8

C. The Facts Set Out Above Clearly Show That the Rights of the Citizens of Kentucky Have Been Denied and Disparaged in Violation of the Ninth Amendment to the Constitution of the United States by Failure of the General Assembly to Act..... 8–14

CONCLUSION 14

APPENDIX 15–29

AUTHORITIES CITED.

	PAGE
Baker v. Carr, 175 Fed. Supp. 649	1
Baker v. Carr, 179 Fed. Supp. 824	1
16 C.J.S. p. 578	9
Savings & Loan Assn. v. Topeka, 87 U. S.686, 22 L. Ed 455, —— Sup. Ct. ——,	10
Ragland v. Anderson, 125 Ky. 141, 100 S. W. 865	12

CONSTITUTIONAL PROVISIONS CITED.

Constitution of the United States, Ninth Amendment 3, 8, 11
Constitution of the United States Fourteenth Amendment 3
Constitution of Commonwealth of Kentucky Sec. 33..22–23

MISCELLANEOUS.

Statement of John Adams 9
Declaration of Independence (Reference) 9
Magna Carta (Reference) 10
The Forgotten Ninth Amendment by Bennett B. Patterson 11, 12

CONTENTS OF APPENDIX.

Ky. Constitution Sec. 33 22–23
List and Population of House of Representative and Senatorial Districts 15–29

IN THE

Supreme Court of the United States

October Term, 1960

No. 103

CHARLES W. BAKER, ET AL.,
Appellants,

v.

JOE C. CARR, ET AL.,
Appellees.

BERNARD F. BOWLING
Mayor City of St. Matthews, Kentucky
Amicus Curiae.

To the Honorable, The Chief Justice and Associate Justices of the Supreme Court of the United States.

Comes Bernard F. Bowling, Mayor of the City of St. Matthews, Kentucky and respectfully files herewith a brief as Amicus Curiae in the above styled action.

OPINION BELOW.

The opinion of the District Court of the United States for the Middle District of Tennessee is reported in Charles W. Baker, et al v. Joe C. Carr, et al., 175 F. Supp. 649 and in 179 F. Supp. 824.

JURISDICTION.

The City of St. Matthews, Kentucky, is a duly constituted political subdivision of the Commonwealth of Kentucky and Bernard F. Bowling, is the duly elected Mayor of said City and its authorized law officer and he files this brief as Amicus Curiae pursuant to Rule 42 of the Revised Rules of the Supreme Court of the United States.

I.

STATEMENT OF APPLICANT'S INTEREST.

The City of St. Matthews, Kentucky, is located in a densely populated area adjacent to the City of Louisville, Kentucky and is located within the 34th Legislative District and within the 36th Senatorial District of the Commonwealth of Kentucky.

This area is inadequately represented in both the House of Representatives and the Senate of the General Assembly of the Commonwealth of Kentucky. The inequality in representation is so glaring and flagrant that it precludes the possibility that there has been any attempt on the part of the Legislature of Kentucky to apportion the Commonwealth into representative districts as nearly equal in population as required by the Constitution of Kentucky.

The applicant has reason to believe that the situation in Kentucky is basically analagous and similar to that of its sister state of Tennessee but believes that the particular problem of under-representation in su-

burban areas adjacent to large cities will not be adequately brought to the attention of this Court.

Surburban areas are in many cases more underrepresented than are the large cities themselves.

This inadequacy while violative of the due process clause, i.e., the 14th amendment, more particularly violates the 9th amendment to the Constitution of the United States which states: "The Enumeration in the constitution of certain rights shall not be construed to deny or disparage others retained by the people" by denying the citizens of certain areas their inalienable rights or so disparaging these rights as to amount to a disenfranchisement of these rights.

It is believed that the impact of the 9th amendment on the questions presented to this Court in this action, is of such importance that the applicant respectfully submits this brief as Amicus Curiae in an effort to bring all facets of the law to the attention of this Court.

ARGUMENT.

The Failure of the General Assembly of Kentucky to Re-Apportion the Legislative and Senatorial Districts of the Commonwealth Pursuant to the Requirements of the Kentucky Constitution Is Violative of the Ninth Amendment of the Constitution of the United States.

A. THE INEQUALITY BETWEEN LEGISLATIVE AND SENATORIAL DISTRICTS WITHIN THE LARGE METROPOLITAN CITY OF LOUISVILLE AND THOSE IN THE SUBURBAN AREA OUTSIDE IT AND ALSO IN JEFFERSON COUNTY IS MORE GLARING THAN THE CONTRAST BETWEEN METROPOLITAN JEFFERSON COUNTY AND RURAL COUNTIES.

In Kentucky the General Assembly, i.e., the Legislature is composed of one hundred House Seats and thirty-eight Senate seats. The Kentucky Constitution requires that the State shall be reapportioned every ten years. (App. p. 23).

Re-apportionment was last carried out in 1942. No re-apportionment was done in 1952 as required by said constitutional provision. Since 1942, there have been tremendous and highly significant shifts of population within Kentucky and since there has been no re-apportionment, the result is, at present, gross inequality in representation.

The population of Kentucky, according to the 1960 census is 3,038,156 and the population of Jefferson County is 610,000.

The areas that have been most affected by population shifts are those immediately outside of large cities such as Louisville, i.e., suburbia and rural Jefferson County. The City of St. Matthews is located in such an area. The citizens in these areas generally

have little voice in the legislative processes as compared with their fellow citizens within the large cities and the citizens of Jefferson County outside of Louisville are no exception.

In Jefferson County, Kentucky, according to the 1960 census, there is a population of 610,947. In Jefferson County there is a total of eleven House seats. Nine of these House seats are within the city limits of Louisville as of 1942 and the remaining two are for the remainder of the County, although part of the area has been annexed by the City of Louisville since 1942. The City of Louisville has a population of 390,639, which is represented by nine House seats. The balance of the people outside of the City of Louisville and the parts that have been annexed since 1942 constitute an estimated 300,000 people. Thus, when you analyze the representation within the city limits, the population of the city is not too greatly under-represented, but the area within the County outside the City is greatly under-represented and is more so than any other area in the Commonwealth of Kentucky.

There are five Senatorial Districts in Jefferson County, four are entirely within the city boundaries while the one remaining District covers the remaining area of the County and the parts that have been annexed since 1942, populated by an estimated 300,000 persons. Thus, the Senator from the 36th District, who represents the suburban and rural areas, represents over three times the number represented by his city brother.

The City of Louisville in the case of both House and Senate Districts is not under-represented, materially. It is the rural and suburbia area that suffers. This is further made evident by comparing the population of the district of the Senator from the 36th District, i.e., 300,000 to that of the rural 34th Senatorial District in Kentucky, which is only 44,860. The people in suburbia and rural Jefferson County have only 1/6th of the voting representation of those in the 34th Senatorial District.

B. THERE IS A FLAGRANT INEQUALITY BETWEEN THE POPULATION IN METROPOLITAN LEGISLATIVE AND SENATORIAL DISTRICTS AND THAT OF THE RURAL DISTRICTS.

Let us compare the County of Jefferson, in which both the City of Louisville and the City of St. Matthews lie, with rural counties in respect to population and legislative and Senatorial representation.

If each House seat was evenly proportioned, the population in each House district would be 30,382. The 34th and 35th Legislative Districts, which comprises the 36th Senatorial District, all lie in suburban and rural Jefferson County, outside the city limits of Louisville, representing an estimated 300,000 persons. In contrast, the 19th Legislative District, which is Todd County, has a population of only 11,354 (App. p. 16). The 75th Legislative District, composed of Morgan and Wolfe Counties, has a population of 17,590. The second Legislative District, Ballard and Carlisle Counties, has a population of 13,899 (App. p. 15). The 71st Legislative District, Lewis County, has a population of 13,115. The 25th Legislative District, which is com-

posed of Hardin County, in 1940 had a population of 29,108. It now has a population of 67,789, and only one Legislative seat, while Rockcastle County, the 79th Legislative District, has a population of only 12,334 (App. p. 21).

Following the comparative figures of even proportionment compared with the number represented by the 34th and 35th Districts, these districts are populated by five times as many people as the norm would indicate, or a person in this area would have only 1/5th the voting power of a person in another part of the state, whereas when compared with the other extreme, that of Todd County, there is a ratio of about twelve to one, or about 1/12th of the voting strength.

This situation is not only true when comparing Jefferson County with other counties, but is and will continue to be, true in other suburban areas. It is not enough to allot seats to counties without requiring such representation to be equally spread within the county itself.

The situation in the Senate is not too different from that in the House. The 34th Senatorial District, which is composed of Breathitt, Lee, Magoffin and Morgan counties, has a population of 44,860 people, whereas the 36th District in suburban Jefferson County, represents an estimated 300,000 people, or the people in Jefferson County have 1/6th the voting strength that the people of the 34th Senatorial District have. If each Senate seat were broken up exactly even, which we do not propose as practical or possible, each member would represent 79,951 persons, so the Senator from

the 34th District represents a little over half of this norm and the Senator from the 36th District represents three and one-half times the norm.

It is the Applicant's contention that by these tremendous shifts in population caused by an explosive expansion of the suburbs, it is the suburbs that are truly under-represented and that this under-representation, together with gerrymandering, caused such areas to be denied their constitutional rights under the Ninth Amendment to the Constitution of the United States.

The evidence is clear that the size of the Metropolitan County Districts are flagrantly unequal with those of the rural districts. Can there be any contention that this is not only grossly unfair but unconstitutional.

C. THE FACTS SET OUT ABOVE CLEARLY SHOW THAT THE RIGHTS OF THE CITIZENS OF KENTUCKY HAVE BEEN DENIED AND DISPARAGED IN VIOLATION OF THE NINTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES BY FAILURE OF THE GENERAL ASSEMBLY TO ACT.

The Ninth Amendment sets forth our basic concept of individual liberties of the individual. While the argument has been made that there is no specific guarantee of the equality of voting strength, we believe this right was guaranteed to the people, although not specifically enumerated.

The government of the United States was conceived solely as a government of delegated powers and nothing more. The government was granted these rights but the people retained all of the individual and personal liberties that were considered a part of the natural law.

These rights have a spirit of expression in the Declaration of Independence; rights that are self-evident in a government of free and equal men; a new government that was to flower and bloom as the rights of the free men flourished.

There are certain basic freedoms which are not contained in any written document and to have and retain these rights, the individual must have the freedom to express his beliefs, and he cannot do this when this right is denied or disparaged by inequality in the means of man's expression, or lack of ability to express.

These human rights cannot any longer be allowed to be destroyed by government, either State or Federal. Therefore, we cannot, by a narrow interpretation of other rights enumerated allow the denial of other basic rights to be denied, because the people only delegate certain rights to the government. This principle is well described in 16 C.J.S., P. 578, P. 199:

> "The Constitutions are not the sources of our personal rights. Our theory of government is that the people, in full possession of inherent, inalienable rights, have formed the government in order to protect these rights, and have incorporated them into the organic law as a shield against unwarrantable interference by any department of government."

and President John Adams proclaimed:

> "You have rights antecedent to all earthly governments; rights that cannot be repealed or restrained by human laws; rights derived from the Great Legislator of the Universe."

This Honorable Court has held in Savings and Loan Association v. Topeka, 87 U. S. 686, 22 L. Ed. 455, that we have certain inherent rights which are entitled to protection against the legislative act of the several states even though these rights are unenumerated in the Constitution and are an implied reservation of individual rights. This is the spirit, the doctrine of the Ninth Amendment. We contend that a citizen's right to equal representation and to have his vote count equally with another cannot be denied or abridged by the failure of a legislative body to carry out a duty conferred by a state constitution.

These inequalities cited herein are so glaring that they preclude the possibility that there has been any attempt to grant equal representation in Kentucky. This, on its face, shows the equality of man's rights has been denied and disparaged.

It is our belief that the philosophy of the Ninth Amendment is not to be narrowly construed, but is to be used like the Magna Carta; as a part of a living and growing Constitution.

The natural rights of the citizens of this country are not fixed as of the date we adopted the Constitution. For the Court to hold that this right of reapportionment and equal representation is an unenumerated right and, therefore, does not exist, is to expose the citizens to a type of tyranny the Constitution was adopted to protect us against. One of the basic rights, the right to vote, is, in effect, denied persons who are voting because their vote does not register equally with those of others. These rights are part of our

natural endowment and are fixed in natural law as to be an inherent right. This argument is well summed up by Bennett B. Patterson in his book, "The Forgotten Ninth Amendment" on Page 57:

> "The ever present danger in a democracy is the power of the majority to over-emphasize the importance of our collective rights and permit our individual selves to become captive of our public selves."

The Ninth Amendment in the Constitution is the counterpart of the "General Welfare" clause. It protects the individual in the same manner that the General Welfare clause protects the public. Therefore, these individual rights cannot be protected by merely granting additional seats by reapportioning seats to various cities or counties. It must be done on an equitable basis. It is hoped that the Court will enter an order broad enough to prohibit the sinister type of gerrymandering which, while not directly before this Court, is equally a part of the matter directly before this body and which is equally as repugnant to our Constitution. We must remember that individual liberty is one of the corner stones of this country and if the individual is not free to have these liberties counted evenly and thus have the right to protect his rights, beliefs and wishes, then his rights have truly been disparaged and denied to him.

The matter of personal rights has been well outlined in Mr. Patterson's book on Page 59:

> "Not only is government the servant of the people, but it is an untrustworthy and unreliable servant. It cannot be given a free hand in caring for the affairs of its master; on the contrary, it must be limited in many ways; it must be checked at every possible point; it must be at all times under suspicion. Otherwise, it will cease to be servant and take the place of master. Too much emphasis cannot well be laid upon the fear which the "Fathers" had of government. *To them the great lesson of history was, that government always tends to become oppressive, and that it is the greatest foe of individual liberty.*"

The argument has been made that the right to vote is not derived from the Federal government but from the states. It is extremely illogical to argue that we are granted liberties by our Federal government and these same liberties are not protected from the state governments when each of these states has ratified the Constitution.

Thus, these rights that are granted as inherent in the people cannot be taken away by the operation or lack of operation of the states. The argument has, in the past, been held to be invalid; that the Courts will not interfere with a right that is merely political; but these rights, when they are denied by political machinery, are within the purview of the great equity power granted to our courts that for every wrong there is a remedy.

Our Kentucky Court has held in Ragland v. Anderson, 125 Ky. 141, 100 S. W. 865:

> "* * * It is for the courts to measure the act of the General Assembly by the Constitution. * * *"

Thus, when their acts have been held to be a violation of our basic rights, so should their failure to act be declared a violation of our basic right. More particularly, when there is a duty to protect these rights in the Constitution (on the part of the General Assembly, they should be ordered corrected forthwith with all deliberate speed.

In the Ragland case, supra, the Court held a Kentucky reapportionment act invalid where the situation was such that the voters in one county exercised more influence than the voters in another district. If it can be held that the court may set aside as invalid an act creating this inequality then the court has the power to declare a failure to act actionable.

> "Equality of representation is a vital principle of democracy. In proportion as this is denied or withheld, the government becomes oligarchical or monarchical. Without equality Republican institutions are impossible. Inequality of representation is a tyranny to which no people worthy of freedom will tamely submit. To say that a man in Spencer county shall have seven times as much influence in the government of the State as a man in Ohio, Butler, or Edmonson, is to say that six men out of every seven in those counties are not represented in the government at all."

Our system of government provides that the government acquires its rights from the consent of the

governed and if the people governed cannot give their consent freely, then they are denied the means of true equality, to elect those to represent their wishes.

CONCLUSION.

The factual situation in Kentucky has been presented to this Honorable Court because of its analogy to the situation in the Tennessee case presently before this Court. The facts in Kentucky have been set out in detail in order to point out that the situation is not restricted to Tennessee and that the opinion of this Court should be far reaching enough to remedy the situation, not only in Tennessee but in all the states of this great country.

Inequality of voting right is as much a violation of the Constitution as denial of voting rights to our citizenry.

Respectfully submitted,

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APPENDIX

APPENDIX

LEGISLATIVE DISTRICTS.

Legislative Districts	Counties	Population 1930	1940	1950	1960
1	Fulton	14927	15413	13688	11256
	Hickman	8725	9142	7778	6747
	TOTALS	23652	24555	21466	18003
2	Ballard	9910	9480	8545	8291
	Carlisle	7363	7650	6206	5608
		17273	17130	14751	13899
3	Graves	30778	31763	31364	30021
4	McCracken	46271	48534	49137	57306
5	McCracken	46271	48534	49137	57306
6	Lyon	8530	9067	6853	5924
	Marshall	12889	16602	13387	16736
		21419	25669	20240	22660
7	Calloway	17662	19041	20147	20972
8	Caldwell	13781	14499	13199	13073
	Trigg	12531	12784	9683	8870
		26312	27283	22882	21943
9	Christian	34283	26129	42359	56904
10	Hopkins	37449	37789	38815	38458
11	Crittenden	11931	12115	10818	8648
	Livingston	8608	9127	7184	7029
		20539	21242	18002	15677

Legislative Districts	Counties	Population 1930	1940	1950	1960
12	Union	17053	17411	14893	14537
13	McLean	11072	11446	10021	9353
	Webster	20534	19198	15555	14244
		31606	30644	25576	23597
14	Henderson	26295	27020	30715	33519
(15)	Daviess	43779	53335	57241	70586*
(16)	*15th Dist. comprises City of Owensboro	33651			42471
17	Muhlenberg	37784	37554	32501	27791
18	Hancock	6147	6807	6009	5330
	Ohio	24469	24421	20840	17725
		30616	31228	26849	23055
19	Todd	13520	14234	12890	11364
20	Logan	21875	23345	22335	20896
21	Allen	15180	15496	13787	12269
	Simpson	11336	11752	11678	11548
		26486	27248	25465	23817
22	Warren	33676	36631	42758	45491
23	Butler	12620	14371	11309	9586
	Edmonson	11475	11344	9376	8085
		24095	25715	20685	17671
24	Grayson	17055	17562	17063	15834
25	Hardin	20913	29108	50312	67789

Legislative Districts	Counties	Population 1930	1940	1950	1960
26	Breckinridge	17368	17744	15528	14734
	Meade	8042	8827	9422	18938
		25410	26571	24950	33672
27	Barren	25844	27559	28461	28303
28	Metcalf	9373	10853	9851	8367
	Monroe	13077	14070	13770	11799
		22450	24923	23621	20166
29	Adair	16401	18566	17603	14699
	Green	11401	12321	11261	11249
		27802	30887	28864	25948
30	Marion	15499	16913	17212	16887
	Taylor	12407	13556	14403	16285
		27906	30469	31615	33172
31	Hart	16169	17239	15321	14119
	Larue	21109	25640	25797	10346
		37278	42879	41118	24465
32	Anderson	8494	8936	8984	8618
	Nelson	16551	18004	19521	22168
		25045	26940	28505	30786
33	Bullitt	8868	9511	11349	15726
	Spencer	6606	6757	6157	5680
		15474	16268	17506	21406
34	Jefferson	355350	385392	484615	610947
35	Jefferson	355350	385392	484615	610947

The 34th and 35th districts lie outside the City of Louisville with the exception of a small section in each annexed. The following districts, all in the County of Jefferson, lie within the boundaries of the City of Louisville:

Legislative Districts	Counties	Population 1930	1940	1950	1960
36	Jefferson	355350	385392	484615	610947
37	Jefferson	355350	385392	484615	610947
38	Jefferson	355350	385392	484615	610947
39	Jefferson	355350	385392	484615	610947
40	Jefferson	355350	385392	484615	610947
41	Jefferson	355350	385392	484615	610947
42	Jefferson	355350	385392	484615	610947
43	Jefferson	355359	385392	484615	610947
44	Jefferson	355350	385392	484615	610947
45	Mercer	14471	14629	14643	14596
	Washington	12623	12965	12777	11168
		27094	27594	27420	25764
46	Boyle	16218	17075	20532	21257
	Garrard	11562	11910	11029	9747
		27778	28985	31561	31004
47	Madison	27621	28541	31179	33482
48	Jessamine	12431	12174	12458	13625
	Woodford	10981	11847	11212	11913
		23412	24021	23670	25538
49	Fayette	68543	78899	100746	131906
50	Fayette	68543	78899	100746	131906
51	Franklin	21064	23308	25933	29421
52	Shelby	17679	17759	17912	18493

Legislative Districts	Counties	Population 1930	1940	1950	1960
53	Oldham.....	7402	10716	11018	13388
	Trimble.....	5348	5601	5148	5102
		12750	16317	16166	18490
54	Boone.....	9595	10820	13015	21940
	Gallatin.....	4437	4307	3969	3867
		14032	15127	16984	25807
55	Grant.....	9876	9876	9809	9489
	Owen.....	10710	10942	9755	8237
		20586	20818	19564	17726
56	Harrison.....	14859	15124	13736	13704
	Scott.....	14400	14314	15141	15376
		29259	29438	28877	29080
57	Carroll.....	8155	8657	8517	7978
	Henry.....	12564	12220	11394	10987
		20719	20877	19911	18965
58	Kenton.....	93534	93139	104254	120700
59	Kenton.....	93534	93139	104254	120700
60	Kenton.....	93534	93139	104254	120700
61	Kenton.....	93534	93139	104254	120700
62	Campbell.....	73391	71918	76196	86803
63	Campbell.....	73391	71918	76196	86803
64	Bracken.....	9616	9389	8424	7422
	Pendleton.....	10876	10382	9610	9968
		20492	19771	18025	17390
65	Mason.....	18862	19066	18486	19454

Legislative Districts	Counties	Population 1930	1940	1950	1960
66	Fleming	12931	13327	11962	10890
	Robertson	3344	3419	2881	2443
		16275	16726	14843	13333
67	Bourbon	18060	17932	17752	18178
	Nicholas	8571	8617	7532	6677
		26631	26549	25284	24855
68	Clark	17640	17988	18898	21075
69	Menifee	4958	5691	4798	4276
	Montgomery	11660	12280	13025	13461
		16616	17971	17823	17737
70	Bath	11075	11451	10410	9114
	Rowan	10893	12734	12708	12808
		21968	24185	23118	21922
71	Lewis	14315	15686	13520	13115
72	Greenup	24554	24917	24887	29238
73	Carter	23839	25545	22559	20817
74	Knott	15230	20007	20320	25258
	Magoffin	15719	17490	13839	11156
		30949	37497	34159	36414
75	Morgan	15130	16827	13624	11056
	Wolfe	8425	9997	7615	6534
		23555	26824	21239	17590

Legislative Districts	Counties	Population 1930	1940	1950	1960
76	Breathitt	21143	23946	19964	15490
	Lee	9279	10860	8739	7420
		30422	34806	28703	22910
77	Estill	17079	17978	14677	12466
	Powell	5800	7671	6812	6674
		22879	25649	21489	19140
78	Jackson	10467	16339	13101	10677
	Owsley	7223	8957	7324	5369
		17690	25296	20425	16046
79	Rockcastle	15149	17165	13925	12334
80	Lincoln	17687	19859	18668	16503
81	Casey	16747	19962	17446	14327
	Russell	11930	13615	13717	11076
		28677	33577	31163	25403
82	Clinton	9004	10279	10605	8886
	Cumberland	10204	11923	9309	7835
		19208	22202	19914	16721
83	McCreary	14627	16451	16660	12463
	Wayne	15848	17204	16475	14700
		30475	33655	33135	27163
84	Pulaski	35640	39863	38452	34403
85	Whitley	29730	33186	31940	25815
86	Laurel	21109	25640	25797	24901

Legislative Districts	Counties	Population 1930	1940	1950	1960
87	Knox	26266	31029	30409	25258
88	Bell	38747	43812	47602	35336
89	Harlan	64557	75275	71751	51107
90	Harlan	64557	75275	71751	51107
91	Clay	18526	23901	23116	20748
	Leslie	10765	14981	15537	10941
		29291	38882	38653	31689
92	Letcher	35702	40592	39522	30102
93	Perry	42186	47828	46566	34961
94	Pike	63267	71122	81154	68264
95	Pike	63267	71122	81154	68264
96	Floyd	41942	52986	53500	41642
97	Floyd	41942	52986	53500	41642
98	Johnson	22965	25771	23846	19748
	Martin	8584	10970	11677	10201
		31549	36741	35523	29949
99	Elliott	7571	8713	7085	6330
	Lawrence	16713	17275	14418	12134
		24284	25988	21503	18464
100	Boyd	43849	45938	49949	52163

"Number of districts; apportionment of representation.—The first general assembly, after the adoption of this Constitution shall divide the state into thirty-eight senatorial districts, and one hundred representative districts, as nearly equal in population as

may be without dividing any county, except where a county may include more than one district, which district shall constitute the senatorial and representative districts for ten years. Not more than two counties shall be joined together to form a representative district: Provided, in doing so the principle requiring every district to be as nearly equal in population as may be shall not be violated. At the expiration of that time, the general assembly shall then, and every ten years thereafter, redistrict the state according to this rule, and for the purposes expressed in this section. If, in making said districts inequality of population should be unavoidable, any advantage resulting therefrom shall be given to districts having the largest territory. No part of a county shall be added to another county to make a district, and the counties forming a district shall be contiguous.

SENATORIAL DISTRICTS—KENTUCKY.

Senatorial Districts	Counties	Population 1930	1940	1950	1960
1	Fulton	14927	15413	13688	11256
	Graves	30778	31763	31364	30021
	Hickman	8725	9142	7778	6747
	Marshall	12889	16602	13387	16736
	TOTALS	67319	72920	66197	64760
2	Ballard	9910	9480	8545	8291
	Carlisle	7363	7650	6206	5608
	Livingston	8608	9127	7184	7029
	McCracken	46271	48534	49137	57306
		72152	74791	71072	78234
3	Caldwell	13781	14499	13199	13073
	Calloway	17662	19041	20147	20972
	Crittenden	11931	12115	10818	8648
	Lyon	8530	9067	6853	5924
	Trigg	12531	12784	9683	8870
		64435	67506	60700	57487

Senatorial Districts	Counties	Population 1930	1940	1950	1960
4	Henderson	26295	27020	30715	33519
	Union	17053	17411	14893	14537
	Webster	20534	19198	15555	14244
		63882	63629	61163	62300
5	Logan	21875	23345	22335	20896
	Muhlenberg	37784	37554	32501	27791
	Simpson	11336	11752	11678	11548
	Todd	13520	14234	12890	11364
		84515	86885	79404	71599
6	Christian	34283	26129	42359	56904
	Hopkins	37449	37789	38815	38458
		71732	63918	81174	95362
7	Allen	15180	15496	13787	12269
	Edmonson	11475	11344	9376	8085
	Warren	33676	36631	42758	45491
		60331	63471	65921	66345
8	Daviess	43779	53335	57241	70588
	Hancock	6147	6807	6009	5330
	McLean	11072	11446	10021	9353
		60998	71588	73271	85271
9	Adair	16401	18566	17603	14699
	Barren	25844	27559	28461	28303
	Hart	16169	17239	15321	14119
	Metcalfe	9373	10853	9851	8367
		67787	74217	71236	65488

Senatorial Districts	Counties	Population 1930	1940	1950	1960
10	Breckinridge	17368	17744	15528	14734
	Butler	12620	14371	11309	9586
	Grayson	17055	17562	17063	15834
	Ohio	24469	24421	20840	17725
		71512	74098	64740	57879
11	Campbell	73391	71918	76196	86803
12	Bullitt	8868	9511	11349	15727
	Hardin	20913	29108	50312	67789
	Larue	21109	25640	25797	10346
	Meade	8042	8827	9422	18938
	Spencer	6606	6757	6157	5680
		65538	79843	103037	118480
13	Fayette	68543	78899	100746	131906
14	Green	11401	12321	11261	11249
	Marion	15499	16913	17212	16887
	Nelson	16551	18004	19521	22168
	Taylor	12407	13556	14403	16285
	Washington	12623	12965	12777	11168
		71481	73759	75174	77757
15	McCreary	14627	16451	16660	12463
	Pulaski	35640	39863	38452	34403
	Whitley	29730	33186	31940	25815
		79997	89500	87052	72681
16	Clinton	9004	10279	10605	8886
	Cumberland	10204	11923	9309	7835
	Monroe	13077	14070	13770	11799
	Russell	11930	13615	13717	11076
	Wayne	15858	17204	16475	14700
		60063	67091	63876	54296

Senatorial Districts	Counties	Population 1930	1940	1950	1960
17	Bell	38747	43812	47602	35336
	Knox	26266	31029	30409	25258
		65013	74841	78011	60594
18	Boyle	16218	17075	20532	21257
	Casey	16747	19962	17446	14327
	Garrard	11562	11910	11029	9747
	Lincoln	17687	19859	18668	16503
		62214	58806	68075	61828
19	Clay	18526	23901	23116	20748
	Jackson	10467	16339	13101	10677
	Laurel	21109	25640	25797	24901
	Owsley	7223	8957	7324	5369
	Rockcastle	15149	17165	13925	12334
		72474	92002	83263	74029
20	Anderson	8494	8936	8984	8618
	Franklin	21064	23308	25933	29421
	Scott	14400	14314	15141	15376
	Shelby	17679	17759	17912	18493
		61637	64317	67970	71908
21	Harlan	64557	75275	71751	51107
	Leslie	10765	14981	15537	10941
		75322	90256	87288	62048
22	Jessamine	12431	12174	12458	13625
	Madison	27621	28541	31179	33482
	Mercer	14471	14629	14643	14596
	Woodford	10981	11847	11212	11913
		65504	67191	69492	73616

Senatorial Districts	Counties	Population 1930	1940	1950	1960
23	Letcher	35702	40592	39522	30102
	Perry	42186	47828	46566	34961
		77880	88420	86088	65063
24	Kenton	93534	93139	104254	120700
25	Boyd	43849	45938	46949	52163
	Johnson	22965	25771	23846	19748
	Lawrence	16713	17275	14418	12134
		83527	88983	85213	84045
26	Boone	9565	10820	13015	21940
	Carroll	8155	8657	8517	7978
	Gallatin	4437	4307	3969	3867
	Henry	12564	12220	11394	10987
	Oldham	7402	10716	11018	13388
	Owen	10710	10942	9755	8237
	Trimble	5348	5601	5148	5102
		58181	63263	62816	71499
27	Bath	11075	11451	10410	9114
	Fleming	12931	13327	11962	10890
	Mason	18862	19066	18486	19454
	Menifee	4958	5691	4798	4276
	Rowan	10893	12734	12708	12808
	Wolfe	8425	9997	7615	6534
		67144	72266	65979	63076
28	Bourbon	18060	17932	17752	18178
	Clark	17640	17988	18898	21075
	Estill	17079	17978	14677	12466
	Montgomery	11660	12280	13025	13461
	Powell	5800	7671	6812	6674
		70239	73749	71164	71854

Senatorial Districts	Counties	Population 1930	1940	1950	1960
29	Floyd	41942	52986	53500	41642
	Knott	15230	20003	20320	25258
	Martin	8584	10970	11677	10201
		65756	83959	85497	77101
30	Bracken	9616	9389	8424	7422
	Grant	9876	9876	9809	9489
	Harrison	14859	15124	13736	13704
	Nicholas	8571	8617	7532	6677
	Pendleton	10876	10382	9610	9968
	Robertson	3344	3419	2881	2443
		57182	56807	51992	49703
31	Pike	63267	71122	81854	68264
32	Carter	23839	25545	22559	20817
	Elliott	7571	8713	7085	6330
	Greenup	24554	24917	24887	29238
	Lewis	14315	15686	13520	13115
		70279	74861	68051	69500
33	Jefferson	355350	385392	484615	610947
~~34~~	~~Jefferson~~	~~355350~~	~~385392~~	~~484615~~	~~610947~~
35	Jefferson	355350	385392	484615	610947
36	Jefferson	355350	385392	484615	610947
37	Jefferson	355350	385392	484615	610947
38	Jefferson	355350	385392	484615	610947
36	Jefferson	Lies outside of City of Louisville, with exception of a few areas annexed.			

Senatorial Districts	Counties	Population 1930	1940	1950	1960
		The 33, 35, 37 and 38 Senatorial Districts are all within the area of City of Louisville—Population 390639. County outside Louisville, with annexed area, which comprises 36th District above, estimated population 300000.			
34	Breathitt	21143	23946	19964	15490
	Lee	9279	10860	8739	7420
	Magoffin	15719	17490	13839	11156
	Morgan	15130	16827	13624	11056
		61271	69123	56165	45122